

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER BERARDI,

Plaintiff,

-V-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

23 Civ. 8277 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before Magistrate Judge Valerie Figueredo.

If both parties consent to proceed before Judge Figueredo, counsel for the defendant must, within two weeks of the date of this Order, submit to the Orders & Judgments Clerk at judgments@nysd.uscourts.gov a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to this Order (and also available at <https://www.nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>). If the Court approves that form, all further proceedings will then be conducted before Judge Parker rather than before the undersigned. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be from this Court if the consent form were not signed and so ordered.

If either party does not consent to conducting all further proceedings before Judge Parker, the parties must file a joint letter, within two weeks of this Order, advising the Court that the parties do not consent, but without disclosing the identity of the party or parties who do not consent. At

that time, the Court will then refer this case to Judge Figueredo for a report and recommendation on any motion for judgment on the pleadings.

The parties are free to withhold consent to conducting all further proceedings before Judge Figueredo without negative consequences.

SO ORDERED.

Dated: October 4, 2023
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", is written over a horizontal line.

JOHN P. CRONAN
United States District Judge

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff

v.

Defendant)
)
)
)
)

Civil Action No. _____

NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

*Printed names of parties and attorneys**Signatures of parties or attorneys**Dates*

_____	_____	_____
_____	_____	_____
_____	_____	_____

Reference Order

IT IS ORDERED: This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: _____

*District Judge's signature*_____
Printed name and title

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.